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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 JASON MARK HART,

9 Plaintiff,

10 v.

11 DAN SCHNEEWEISS,

12 Defendant.

CASE NO. C19-1193-RAJ-BAT

**ORDER SETTING DEADLINE FOR
FILING AMENDED COMPLAINT
AND EXTENDING DISPOSITIVE
MOTION DEADLINE**

13 Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983.
14 Plaintiff is currently confined at the Monroe Correctional Complex-SOU (MCC-SOU).
15 Plaintiff's complaint relates to the alleged involuntary administration of anti-psychotic
16 medication by defendants Dan Schneeweiss and Calvin Cogburn during early 2018 and the
17 resulting violations of plaintiff's due process and Eighth Amendment rights. Dkt. 4.

18 On February 5, 2020, plaintiff filed a separate action alleging the same defendants
19 violated his constitutional rights by involuntarily administering anti-psychotic medication to him
20 during early 2018. *See Hart v. Schneeweiss*, 20-cv-180-RSM-BAT, at Dkt. 1. By order dated
21 February 14, 2020, Hon. Ricardo S. Martinez dismissed plaintiff's complaint in that action as
22 duplicative of this action. *See id.* at Dkt. 4. In that order the Court noted that "[t]hough the
23 complaint here presents some additional facts and allegations, they are all related to the alleged

1 involuntary administration of anti-psychotic medication during early 2018 and the resulting
2 violations of plaintiff's due process and Eighth Amendment rights." *Id.* The Court further found
3 that:

4 Given that the acts plaintiff alleges herein arise from the same subject
5 matter alleged in plaintiff's first complaint (C19-1193-RAJ-BAT), the
6 instant action is duplicative and is dismissed without prejudice. *See*
7 *Adams v. California Department of Health Services*, 487 F.3d 684, 688
8 (9th Cir. 2007) ("Plaintiffs generally have no right to maintain two
9 separate actions involving the same subject matter at the same time in the
10 same court against the same defendant."). Plaintiff will not be prejudiced
11 because he will be able to allege the acts asserted herein, in the complaint
12 pending before Judge Jones, in case C19-1193-RAJ-BAT. Plaintiff
13 should understand that this will require him to amend the action before
14 Judge Jones and to add the allegations contained in the instant complaint.

15 *Id.*

16 In light of Judge Martinez's order, the Court hereby orders that if plaintiff intends to file
17 an amended complaint to include the additional allegations raised in the dismissed complaint
18 (*Hart v. Schneeweiss*, 20-cv-180-RSM-BAT), he must do so **on or before March 4, 2020**. The
19 Court also hereby amends the pretrial scheduling order and extends the deadline for dispositive
20 motions to **March 11, 2020**.

21 DATED this 19th day of February, 2020.

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BRIAN A. TSUCHIDA
United States Magistrate Judge